

**IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.3033 OF 2004

Kisan Ganpat Dhage	.. Applicant.
Vs.	
State of Maharashtra	.. Respondent.

Mr.V.P.Tapkir for the applicant.
Mr.V.B.Konde-Deshmukh APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 9TH AUGUST, 2004

P.C.:

. Heard Mr.Tapkir, learned counsel for the applicant and Mr.Konde-Deshmukh, learned A.P.P. for the respondent.

2. The applicant has been shown arrested in C.R.No.251/2003 registered at Shirur police station under sections 302, 376, 201 of Indian Penal Code. The applicant is the father of deceased - Swati. He is alleged to have killed her on 9.12.2003 since she was having illicit relations with co-accused - Santosh and at the relevant time she was pregnant. The alleged occurrence was witnessed by the wife and the daughter of the applicant, who have clearly stated as to how the incident occurred. It appears from their statements that deceased - Swati was

mercilessly assaulted by the applicant and strangled to death. The autopsy report supports the allegation against the applicant. Keeping that in view and considering the overall facts and circumstances of the case, in my opinion, this is not a fit case to enlarge the applicant on bail. The application is rejected.

. While passing this order, I shall not be understood to have expressed any opinion on merits of the case. The trial court will deal with the case uninfluenced by the observations made in this order.

(D.B.Bhosale, J.)